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EXAMINER

KADING, JOSHUA A

ART UNIT	PAPER NUMBER
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2661

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DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/756,900

Applicant(s)

SHIH, WEN-CHAO

Examiner

Joshua Kading

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

Claims 1, 3-5, 9-11, 13, 15-17, and 21-23 are objected to because of the following informalities: All claims disclose "IPCS Internet gateways " or "IPCS Internet gateway". Since none of the dependent claims or independent claim 13 initially single out one of the disclosed "IPCS Internet gateways ", the term "IPCS Internet gateway" in the dependent claims and in independent claim 13 lack antecedent basis. It is suggested that all occurrences of "IPCS Internet gateway" be changed to --IPCS Internet gateways--. Appropriate correction is required.

10

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

15

Claims 13-24 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

20

Although claim 13 is listed as a method step according to the preamble, line 2 of claim 13 is not a method step. A method step performs an action or actively does something. Line 2 of claim 13 does not fall under this definition and is therefore vague and indefinite.

Since claim 13, line 2 is vague and indefinite the recitation of the limitation "the touch screen" in line 6 is improper. There is insufficient antecedent basis for this limitation in the claim.

5

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15

Claims 13, 15, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Jansen et al. (U.S. Patent 6,243,450 B1).

20

It should be noted that since claim 13 is rejected under 35 U.S.C. 112 second paragraph, the limitation of line 2 under question will not be given weight in the art rejection of claim 13.

25

Regarding claim 13, Jansen discloses "a method of establishing and maintaining an IPCS system comprising the steps of: an IPCS Internet gateways having a CPU and a touch screen (if the claim is amended to include the limitation of line 2 properly, Jansen reads on the limitation in col. 3, line 15-23);

b. connecting IPCS Internet gateways to the Internet through broadband Internet connections; c. providing access to the Internet through the IPCS Internet gateways whereby a user can navigate the Internet using the touch screen (col. 3, lines 15-col. 4, lines 1-35 where the kiosk is the equivalent to the IPCS Internet gateway); and

5 d. providing access to traditional public payphone service using voice-over-IP, whereby a user's voice connection is sent digitally over broadband Internet connections (col. 3, lines 26-28)."

Regarding claim 15, Jansen discloses "the method of claim 13...(f): providing
10 wireless Internet access through the IPCS Internet gateways (col. 3, lines 36-37)."

Regarding claim 18, Jansen discloses "the method of claim 1...(i) displaying
online multimedia advertising (col. 6, lines 10-12) and (j) managing said advertising from
a remote location through the Internet (figure 3, where element 60 is in a remote
15 location, col. 6, line 5) comprising the steps of a. selecting advertising content (col. 6,
lines 5-9 whereby receiving advertising information from the administrative staff terminal
means the advertising was selected at the terminal); and b. displaying advertising
content (col. 6, lines 10-12)."

20 ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

Art Unit: 2661

5 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jansen et al.

10

Regarding claim 14, Jansen discloses the method of claim 13 and "(e) providing news and media content to users (col. 7, lines 55-57)". However, Jansen explicitly lacks what is well known in the art or would have been obvious, "(f) managing said news and media content from a remote location through the Internet (it is well known in the art that

15 all news and media content is managed by a remote server or provider, for example a user browses a web site on the World Wide Web, the user is not personally managing the site he is viewing, the managing is done remotely by the owner's of the site or by a company hired to specifically manage the site) comprising the steps of: a. selecting news and media content (it is implied that the user browsing the Internet will be

20 choosing the content to view as is the case when a user is browsing the World Wide Web, he controls the sites and information he wants to visit, this includes news and media content); and b. displaying news and media content (col. 7, lines 55-57 whereby providing the news and media it is implied the content will be displayed on the screen)."

It would have been obvious to one with ordinary skill in the art at the time of invention to

25 include the managing of media content remotely including selecting content and displaying content because web sites of companies or individuals are reflections of their

interests (whether that be corporate or otherwise) and they are motivated to create these web sites in order to share these interests (for personal gain or satisfaction) quickly with other people via the Internet.

5 Regarding claim 17, Jansen discloses the method of claim 1. However, Jansen explicitly lacks "(h): providing electronic money transfer services through the IPCS Internet gateways." Although Jansen does not disclose the electronic money transfer explicitly, he does suggest it (col. 7, lines 52-54 where having access to banking through the Internet suggests that the possibility of providing an electronic money transfer is available, as are other online banking options). It would have been obvious to one with ordinary skill in the art at the time of invention to include the money transfer with the method of claim 1 for the purpose of providing a way to conduct banking transactions from a remote location using the Internet. The motivation for this being that by being able to bank almost anywhere allows users the convenience of wasting less time traveling to and from the bank to conduct bank business.

Claims 1-3, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jansen et al. in view of Ku (U.S. Patent 6,480,590 B1).

20 Regarding claim 1, Jansen discloses "a method of establishing and maintaining an IPCS system comprising the steps of:
...a touch screen (col. 3, line 21);

Art Unit: 2661

b. connecting IPCS Internet gateways to the Internet through broadband Internet connections; c. providing access to the Internet through the IPCS Internet gateways whereby a user can navigate the Internet using the touch screen (col. 3, lines 15-col. 4, lines 1-35 where the kiosk is the equivalent to the IPCS Internet gateway); and

5 d. providing access to traditional public payphone service using voice-over-IP, whereby a user's voice connection is sent digitally over broadband Internet connections (col. 3, lines 26-28)."

However, Jansen lacks what Ku discloses, that is "a. replacing traditional public phone installation locations with IPCS Internet gateways, said IPCS Internet gateways
10 having a CPU (col. 1, lines 63-col. 2, lines 1-26)..."

It would have been obvious to one with ordinary skill in the art at the time of invention to include the replacing of the traditional public phone as in Ku with the IPCS gateways disclosed in Jansen for the purpose of providing additional services at existing pay telephone locations. The motivation is that adding the additional services to existing
15 locations is an inexpensive way to add the additional features without creating new locations (Ku, col. 1, lines 58-60).

Regarding claim 2, Jansen and Ku disclose the method of claim 1. However, Ku lacks what Jansen further discloses, that is "(e) providing news and media content to
20 users (col. 7, lines 55-57), and (f) managing said news and media content from a remote location through the Internet (it is well known in the art that all news and media content is managed by a remote server or provider) comprising the steps of: a. selecting

Art Unit: 2661

news and media content (it is implied that the user browsing the Internet will be choosing the content to view, this includes news and media content); and b. displaying news and media content (col. 7, lines 55-57 whereby providing the news and media it is implied the content will be displayed on the screen)." It would have been obvious to one
5 with ordinary skill in the art at the time of invention to include the providing of news and media content with the method of claim 1 for the same reasons and motivation as in claim 1.

Regarding claim 3, Jansen and Ku disclose the method of claim 1. However, Ku
10 lacks what Jansen further discloses, that is "(f): providing wireless Internet access through the IPCS Internet gateways (col. 3, lines 36-37)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the wireless access with the method of claim 1 for the same reasons and motivation as in claim 1.

15 Regarding claim 5, Jansen and Ku disclose the method of claim 1. However, Ku lacks what Jansen further discloses, that is "(h): providing electronic money transfer services through the IPCS Internet gateways (col. 7, lines 52-54 where, as is known in the art, having access to banking through the Internet suggests that the possibility of providing an electronic money transfer is available through the gateway)." It would have
20 been obvious to one with ordinary skill in the art at the time of invention to include the providing electronic money transfer through the gateways with the method of claim 1 for the same reasons and motivation as in claim 1.

Regarding claim 6, Jansen and Ku disclose the method of claim 1. However, Ku lacks what Jansen further discloses, that is "(i) displaying online multimedia advertising (col. 6, lines 10-12) and (j) managing said advertising from a remote location through the Internet (figure 3, where element 60 is in a remote location, col. 6, line 5) comprising the steps of a. selecting advertising content (col. 6, lines 5-9 whereby receiving advertising information from the administrative staff terminal suggests the advertising was selected at the terminal); and b. displaying advertising content (col. 6, lines 10-12)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the advertising with the method of claim 1 for the same reasons and motivation as in claim 1.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jansen et al. and Ku as applied to claim 1 above, and further in view of Rogers et al. (U.S. Patent 5,946,386).

Regarding claim 4, Jansen and Ku disclose the method of claim 1. However, Jansen and Ku lack what Rogers discloses, that is "(g): providing video-conferencing through the IPCS Internet gateways (col. 11, lines 40-50 where although Rogers does not describe a video conferencing call placed with a public gateway, he does disclose that it is possible to place a video conferencing call using a voice over internet device as in claim 1)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the video conferencing with the method of claim 1 for the purpose of

Art Unit: 2661

adding additional services for users. The motivation is that by adding more services users will be making more effective use of the digital and telephone systems (Rogers, col. 1, lines 22-40).

5 Claims 7-9, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jansen et al. and Ku as applied to claim 6, and further in view of Kaehler et al. (U.S. Patent 6,078,896).

 Regarding claim 7, Jansen and Ku disclose the method of claim 6. However,
10 Jansen and Ku lack what Kaehler discloses, that is "(i) installing a multi-card reader to allow a user to purchase in response to online multimedia advertising (Lines 2-20 of the Abstract, it is noted that although the device described in Kaehler is implemented in a "fuel dispenser" system, the "card reader" and advertising/purchasing scheme associated with it are by no means limited to a "fuel dispenser" system, this can be seen
15 in Ku (figure 3, elements 46 and 68) which has all the hardware components described in Kaehler capable of implementing the advertising/purchasing scheme)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the "card reader" and advertising/purchasing scheme with the method of claim 6 for the purpose of allowing the user to make purchases based on goods and services
20 advertised on the user's display. The motivation is that by advertising goods and services to a user, businesses can increase sales through purchases based on the advertising.

Regarding claim 8, Jansen, Ku, and Kaehler disclose the method of claim 7.

However, Ku and Kaehler lack what Jansen discloses, that is "(e) providing news, media and information services to users (col. 7, lines 55-57)." It would have been

5 obvious to one with ordinary skill in the art at the time of invention to include the providing of news and media content with the method of claim 7 for the same reasons and motivation as in claim 7.

Regarding claim 9, Jansen, Ku, and Kaehler disclose the method of claim 7.

10 However, Ku and Kaehler lack what Jansen discloses, that is "(f): providing wireless Internet access through the IPCS Internet gateways (col. 3, lines 36-37)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the wireless access with the method of claim 7 for the same reasons and motivation as in claim 7.

15

Regarding claim 11, Jansen, Ku, and Kaehler disclose the method of claim 7.

However, Ku and Kaehler lack what Jansen discloses, that is "(h): providing electronic money transfer services through the IPCS Internet gateways (col. 7, lines 52-54 where having access to banking through the Internet suggests that the possibility of providing

20 an electronic money transfer is available, as are other online banking options)." It would have been obvious to one with ordinary skill in the art at the time of invention to include

Art Unit: 2661

the providing electronic money transfer through the gateways with the method of claim 7 for the same reasons and motivation as in claim 7.

Regarding claim 12, Jansen, Ku, and Kaehler disclose the method of claim 7.

5 However, Ku lacks what Jansen and Kaehler further disclose, that is "(i) displaying online multimedia advertising (Jansen, col. 6, lines 10-12; and Kaehler lines 2-20 of the Abstract)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the advertising with the method of claim 7 for the same reasons and motivation as in claim 7.

10

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jansen et al., Ku, and Kaehler et al. as applied to claim 7 above, and further in view of Rogers et al.

Regarding claim 10, Jansen, Ku, and Kaehler disclose the method of claim 7.

15 However, Jansen, Ku, and Kaehler lack what Rogers discloses, that is "(g): providing video-conferencing through the IPCS Internet gateways (col. 11, lines 40-50 where although Rogers does not describe a video conferencing call placed with a public gateway, he does disclose that it is possible to place a video conferencing call using a voice over internet device as in claim 7)." It would have been obvious to one with
20 ordinary skill in the art at the time of invention to include the video conferencing with the method of claim 1 for the purpose of adding additional services for users. The

Art Unit: 2661

motivation is that by adding more services users will be making more effective use of the digital and telephone systems (Rogers, col. 1, lines 22-40).

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jansen
5 et al. in view of Rogers et al.

Regarding claim 16, Jansen discloses the method of claim 13. However, Jansen lacks what Rogers discloses, that is "(g): providing video-conferencing through the IPCS Internet gateways (col. 11, lines 40-50 where although Rogers does not describe a video conferencing call placed with a public gateway, he does disclose that it is possible
10 to place a video conferencing call using a voice over internet device as in claim 13)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the video conferencing with the method of claim 13 for the purpose of adding additional services for users. The motivation is that by adding more services users will be making more effective use of the digital and telephone systems (Rogers, col. 1, lines
15 22-40).

Claims 19-21, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jansen in view of Kaehler et al.

20 Regarding claim 19, Jansen discloses the method of claim 18. However, Jansen lacks what Kaehler discloses, that is "(i) installing a multi-card reader to allow a user to purchase in response to online multimedia advertising (Lines 2-20 of the Abstract, it is

Art Unit: 2661

noted that although the device described in Kaehler is implemented in a "fuel dispenser" system, the "card reader" and advertising/purchasing scheme associated with it are by no means limited to a "fuel dispenser" system, this can be seen in Ku (figure 3, elements 46 and 68) which has all the hardware components described in Kaehler

5 capable of implementing the advertising/purchasing scheme)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the "card reader" and advertising/purchasing scheme with the method of claim 18 for the purpose of allowing the user to make purchases based on goods and services advertised on the user's display. The motivation is that by advertising goods and services to a user,

10 businesses can increase sales through purchases based on the advertising.

Regarding claim 20, Jansen and Kaehler disclose the method of claim 19. However, Kaehler lacks what Jansen discloses, that is "(e) providing news, media and information services to users (col. 7, lines 55-57)." It would have been obvious to one

15 with ordinary skill in the art at the time of invention to include the providing of news and media content with the method of claim 19 for the same reasons and motivation as in claim 19.

Regarding claim 21, Jansen and Kaehler disclose the method of claim 19. However, Kaehler lacks what Jansen discloses, that is "(f): providing wireless Internet access through the IPCS Internet gateways (col. 3, lines 36-37)." It would have been

20 obvious to one with ordinary skill in the art at the time of invention to include the

Art Unit: 2661

wireless access with the method of claim 19 for the same reasons and motivation as in claim 19.

Regarding claim 23, Jansen and Kaehler disclose the method of claim 19.

5 However, Kaehler lacks what Jansen discloses, that is "(h): providing electronic money transfer services through the IPCS Internet gateways (col. 7, lines 52-54 where having access to banking through the Internet suggests that the possibility of providing an electronic money transfer is available, as are other online banking options)." It would have been obvious to one with ordinary skill in the art at the time of invention to include
10 the providing electronic money transfer through the gateways with the method of claim 19 for the same reasons and motivation as in claim 19.

Regarding claim 24, Jansen and Kaehler disclose the method of claim 19.

However, both Jansen and Kaehler further disclose "(i) displaying online multimedia
15 advertising (Jansen, col. 6, lines 10-12; and Kaehler lines 2-20 of the Abstract)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the advertising with the method of claim 19 for the same reasons and motivation as in claim 19.

20 Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jansen et al. and Kaehler et al. as applied to claim 19 above, and further in view of Rogers et al.

Art Unit: 2661

Regarding claim 22, Jansen and Kaehler disclose the method of claim 19.

However, Jansen and Kaehler lack what Rogers discloses, that is "(g): providing video-conferencing through the IPCS Internet gateways (col. 11, lines 40-50 where although Rogers does not describe a video conferencing call placed with a public

5 gateway, he does disclose that it is possible to place a video conferencing call using a voice over internet device as in claim 7)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the video conferencing with the method of claim 19 for the purpose of adding additional services for users. The motivation is that by adding more services users will be making more effective use of
10 the digital and telephone systems (Rogers, col. 1, lines 22-40).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Enzmann et al. (U.S. Patent 6,320,946 B1) describes another
15 public payphone used to access the Internet. Gerszberg et al. (U.S. Patent 6,424,646 B1) describes a device capable of voice communication, Internet access, and a variety of other services including Automatic Teller Machine services, advertising/purchasing, online banking, conferencing, messaging, etc.


20 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Kading whose telephone number is (703) 305-0342. The examiner can normally be reached on M-F: 8:30AM-5PM.

Art Unit: 2661

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Olms can be reached on (703) 305-4703. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the

- 5 Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic
- 10 Business Center (EBC) at 866-217-9197 (toll-free).


Joshua Kading
Examiner
Art Unit 2661

June 7, 2004

15


KENNETH VANDERPUYE
PRIMARY EXAMINER